

## **PLANNING COMMISSION MINUTES**

**June 23, 1999**

**CALL TO ORDER:** Chairman Maks called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

**ROLL CALL:** Present were Chairman Dan Maks; Planning Commissioners Charles Heckman, Eric Johansen, Vlad Voytilla, Don Kirby, and Tom Wolch. Sharon Dunham was excused.

Staff was represented by Development Services Manager Irish Bunnell, Senior Planner John Osterberg, Associate Planner Colin Cooper, Economic Development Coordinator John Engel, Assistant City Attorney Ted Naemura, and Recording Secretary Gerry Bowles.

### **NEW BUSINESS**

#### **PUBLIC HEARINGS**

Chairman Maks opened the public hearing and read the format for the meeting. There were no disqualifications of Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items.

#### **A. CUP 99012 – NEW BEAVERTON LIBRARY PARKING**

Request for a Conditional Use Permit approval to construct a parking lot for the new City Library. A Conditional Use Permit (CUP) is required because the proposal is partially within the Residential Multi-Family Urban High Density (R-1) zoning district. The proposed lot is west of the new library on property encompassed by SW Hall Boulevard, SW Washington Street, SW Third Street, and SW Fifth Street. The site is within the Town Center (TC) and Residential Multi-Family Urban High Density (R-1) zone. Map 1S1-15BC; Tax Lots 8200, 8300, 8400, 8500, 8600, 8700, and 8800.

All the Commissioners indicated they had visited the site.

Mr. Osterberg presented the staff report, noting that the spaces in this parking lot will provide the additional spaces needed to meet the Code requirement for the library. Staff is recommending approval with conditions.

Commissioner Heckman questioned how the storm detention will be handled. Mr. Osterberg said there will be a combined storm water quantity/quality facility at the north end of the parking lot.

Commissioner Kirby questioned how patrons will access the library from the west parking lot with respect to crossing Hall Boulevard. Mr. Osterberg indicated that people will be encouraged to cross Hall at Fifth because it is a signalized intersection. Commissioner Kirby asked if there are any plans to place landscaping or some type of buffer to discourage people from jaywalking. Mr. Osterberg said this was not considered but he felt it was a good idea. Chairman Maks commented that if the Commission finds this appropriate, they may want to make a recommendation that the Board of Design Review consider this issue and determine appropriate steps.

Commissioner Johansen asked how this request relates to the general adequacy of parking for the library. Mr. Osterberg explained that approval of this west parking lot will allow the applicant to meet the entire parking requirement. If this parking lot is approved by the Commission and by the Board of Design Review, it will allow the City to withdraw the remanded variance for reduced parking. At this time, staff is recommending that the variance request be continued until this application has gone through the complete process. Commissioner Johansen referred to Code Section 60.20.15.10 Vehicle Parking Reduction for Transit Amenities that states that the City *may* reduce required parking. He asked if there is any information available to support a discretionary decision to grant a parking reduction based on the transit availability to the site. Mr. Osterberg replied that there is no parking reduction associated with this west parking lot. The parking reduction based on the transit amenity has already been approved with the Conditional Use Permit for the library. Chairman Maks explained that the Commission initially denied a variance request for reduced parking for the library. The Commission did approve a CUP for the library and contained within that approval and within the Land Use Order was an approval for a reduction in parking due to transit amenities. The City is now providing parking within this lot which would not have been required had the variance request been approved.

Commissioner Kirby questioned the status of the Farmer's Market. Mr. Osterberg asked that Chief of Staff Linda Adlard address this question.

Chairman Maks referred to a statement on Page 14 that reads "The surrounding neighborhood has grown accustomed to a variety of active public uses on the property..." and asked how this conclusion was reached. Mr. Osterberg stated that the words "on the

property” should read “in this area”. This may have been an assumption on his part based on the uses which are existing in the surrounding area.

LINDA ADLARD, Chief of Staff, City of Beaverton, 4755 SW Griffith Drive, Beaverton 97076, said since the last hearing, the City has purchased this lot. The purchase of the property and the cost to remove the buildings has added a significant cost but they are pleased that the property was available. The need to cross Hall Boulevard is not the most desirable. There will be a public park at the southern end of the block and they believe that people will naturally navigate towards that corner. At the corner of Fifth, they will have paving and access which will make people want to go there to cross. Another reason people will use this route is because they can only gain access to the library off of 5<sup>th</sup>. The City will do a public education program to remind parents about the safety issues for children and the need to use the signalized crossing. If necessary, they will position police officers on site to remind people that jaywalking is not appropriate in the City. When parking was originally looked at, the City did not own this block and the issue of adequacy of parking was an issue. They have a transit amenity credit but it is very minimal. They will encourage a safe environment for children to take public transportation to the site. The only interaction they have had with neighbors was at the initial meeting for this parking lot. They had a very good turnout with a lot of questions. At that time, the City posed the possibility of having a parking structure if they were unable to meet their parking needs. The neighborhood did not favor this option. They have tried to provide access to the parking on streets which will not be significantly impacted. There are homes on Third but on Washington, there is a church and the public park. Currently they are able to have the Farmer’s Market adequately served on Washington with a little on Third and Fourth. They will overflow a little into the City park and the City will continue to review this.

Commissioner Heckman asked how many employee parking spaces are provided at the existing library. Ms. Adlard did not know. Commissioner Heckman noted that the new library is providing 23 spaces and he felt that the existing library has more than that. Ms. Adlard said the City has a program whereby it pays for transit passes for its employees. Commissioner Heckman questioned the preservation of an oak tree at Hall and Third that staff is requesting be preserved. Ms. Adlard stated that they need the flexibility in the approval to determine whether the tree is appropriate to retain given its location in the sidewalk area. She expressed concern for individuals who may have a vision impairment. The natural tendency for such individuals would be to follow the curb line and if the tree were retained, it may lead them into the traffic. She would be concerned in the absence of a barrier. She would like to review this matter further to assess whether this poses a danger to vision impaired individuals. They will save the tree if possible but would like flexibility to remove it if necessary. The tree is not included in the City’s inventory. Commissioner Heckman said if there is going to be a problem with the tree, he would prefer that it be removed from the start.

Commissioner Voytilla questioned the location of the main entrance.

DAVID SHELMAN, Thomas Hacker & Associates, 34 NW First Avenue, Suite 406, Portland 97209, described the location of the front entrance using the site plan. Commissioner Voytilla expressed concern with pedestrians crossing Hall. The linear arrangement of the landscaping and the textured pavement to the east parking lot gives the feel of a pedestrian mall. This would appear to invite people to cross in that area. Mr. Shelman said they have not yet designed the park. The crossing is an issue which they recognize and is an issue which needs to be addressed as they develop the park further. The west parking lot is designed in such a way to direct people to the signalized intersection. They will continue to encourage this movement as the design of the park is formulated.

Commissioner Voytilla asked if the transit pass program has been monitored to determine its effectiveness. Ms. Adlard said she is not sure how many employees are taking advantage of it but it is encouraged. The library is here to serve its patrons and the parking is first provided for them. There is currently a shortage of parking at the existing library and there has not been a problem with employee parking. She does not anticipate this being a problem. Commissioner Voytilla referred to a letter included in the packet from Rebecca Kirk and Byron DeLuca and asked if the questions raised in the letter with regard to cut-through traffic and flaws in the traffic study have been responded to. Ms. Adlard said the City acknowledges that there is currently a lot of cut-through traffic on Tucker. She and the Mayor have talked to Ms Kirk about having a neighborhood meeting and looking at the traffic counts when the library is in place. It is the intent to have adequate parking, to have adequate programs, and to schedule the hours in a manner that does not impact the neighbors. There will be noise and there will be traffic. People who visit the library generally come for a very short time. This does generate a lot of turnover and a lot of traffic but generally people use proper access and do not cut through neighborhoods. If that becomes a problem, they will determine how it can best be handled. The cut-through is already a problem and the concern is whether the problem will be increased. With respect to the adequacy of the traffic study, all impacts on the neighborhood have been addressed within the study.

Commissioner Heckman questioned the ratio of library employees to the number of volunteers. Ms. Adlard did not know the specific number but estimated a current number of volunteers to be approximately 50 to 100 during varying hours. At the existing facility, there is not a problem with parking for volunteers. Commissioner Heckman asked how the volunteers are considered in the parking formula since they are not considered patrons nor are they employees. Mr. Shelman responded that the Code formula requires one space for every two employees plus a number of spaces based on the use of the property. Volunteers are not considered in this formula. Ms. Adlard noted that they were required to provide a great deal of parking for meeting rooms and for an auditorium, much of which may not be used except by the patrons of the library. The count was more if

outside people come in with 25 people to use a meeting room. They have no intention of having that happen at least initially for the first couple years until they get their programs in place. In the beginning, they will have a lot of spaces that have been assigned to programs but it will not be used for some time. This parking was based on the concept that it will be used all day every day for meetings.

Commissioner Kirby asked how they plan to discourage pedestrian movement at Third. Ms. Adlard said she would have no objection if the Board of Design Review requested that a barrier be placed at Third that says no crossing. She is concerned about safety. If people begin to cross at Fourth, they will probably place a landscape amenity on the side of the library that will make the area less desirable for accessibility. Once this is built, if there are any issues, she is confident that the Traffic Commission will become aware of them immediately and the City will take action to alleviate the problems.

Mr. Osterberg indicated that staff is recommending a condition of approval to the Board of Design Review that flexibility be granted to retain the oak tree if possible. The tree is not designated a Significant Tree on the City's inventory but the City would like to retain it if feasible. The parking lot meets all the design standards. It will provide the additional parking in order to alleviate the need for a variance to reduce the required amount.

The public portion of the hearing was closed.

Commissioner Voytilla said he has concerns with regard to the pedestrian flow from this parking lot to the library. Although the intentions are good to encourage people to cross at Fifth, people will take the shortest route possible. The park area will be a gathering area for young people and they will jaywalk, through bushes and over barricades. He asked that measures continue to be looked at to make it safe from the very beginning. It may require that a pedestrian crossing be added. The design of the other two blocks to the east is heralding a desire for pedestrians to continue through to what looks like a pedestrian mall. He supports the placement of a parking lot on this property. He encouraged the City to look at the elements of design to support good sound pedestrian use and make this a usable parking lot, rather than promoting on-street parking on the east side of the library. He will support a motion for approval of the CUP.

Commissioner Heckman said he supports the request. He feels that the Board of Design Review will address the street crossing problem if such a problem exists. He does not feel that this will become a problem. He will support a motion for approval of the CUP.

Commissioner Wolch said he fully supports the CUP. It meets all the requirements. He was very uncomfortable with the original request for a variance for reduced parking to approximately 40%. The issue of pedestrian crossing may not be the problem anticipated by some. If it does become a problem, he is confident that the Traffic Commission and staff will deal with it effectively. He will support a motion for approval.

Commissioner Johansen expressed support for the CUP. It meets the criteria. He does not however agree with the apparent interpretation that staff has taken on a number of issues regarding Section 60.20.15.10. It appears that a parking reduction for providing a transit amenity on a bus route regardless of service has become an entitlement to an applicant. He does not believe this is the intent of the Code. It states that the City *may* reduce the required parking. He strongly encouraged staff to look at that language and require that applicants prove their case that there is adequate service, either currently or in the immediate future, to justify a significant reduction in the parking. He requested that the City Attorney interpret what the Code states and determine whether the reduction should be automatic or based on a demonstration of adequacy of service. Based on the fact that this issue has already been discussed in the original CUP for this application, he will support the CUP application for the parking lot.

Commissioner Kirby expressed that this is a good use of the property. He requested that extreme caution be taken in striping the parking lot to maximize the number of spaces to direct people across Hall at the Fifth Street intersection. He thinks the problem of jaywalking will be a significant problem. He would like to see included in the Commission's motion a recommendation to the Board of Design Review that they carefully consider this issue. He will support a motion for approval of the CUP.

Chairman Maks said he supports the application. It meets all the criteria for approval. He thanked the City for their efforts in meeting the parking requirement. He agrees with the parking reduction for transit amenity. The City is attempting to become more compact and more transit-oriented. For this purpose and this location, it is appropriate.

Commissioner Heckman commented that the Farmer's Market generates an extremely high pedestrian count and people respect the crossing signal. In this case, the positive of the parking lot outweighs the potential negative.

Commissioner Kirby MOVED and Commissioner Heckman SECONDED a motion for approval of CUP 99012 New Beaverton Library; West Parking Lot based on the facts and findings contained in the staff report, as amended, dated June 23, 1999, with Conditions 1 and 2. The question was called and the motion CARRIED unanimously.

Commissioner Kirby MOVED and Commission Voytilla SECONDED a motion to recommend that the Board of Design Review look at facilitating safe and legal pedestrian movement. The question was called and the motion CARRIED unanimously.

**B. VAR 96015 – NEW BEAVERTON LIBRARY; PARKING VARIANCE APPEAL**  
***(Request for continuance to July 14, 1999)***

The City Council has remanded the variance request to the Planning Commission so that the Commission can take action on a revised variance request. The City proposes to meet the Development Code standards for parking and expects to be able to withdraw the variance once approval of the west parking lot is final. The site is within the R-1 (High Density Multi-Family Residential) zone. The site is located between SW Third and Fifth Streets, east of Hall Boulevard, and on both sides of Tucker Avenue. The site is approximately 4.5 acres in size. Map 1S1-15BC; Tax Lots 6300, 9300, and 9500.

Commissioner Johansen MOVED and Commissioner Kirby SECONDED a motion to continue VAR 96015 New Beaverton Library; Parking Variance Appeal until July 14, 1999. The question was called and the motion CARRIED unanimously.

RECESS: 8:12 p.m.

RECONVENE: 8:25 p.m.

**C. CUP 99006 – HEARTHSTONE RETIREMENT CENTER**

Request for a Conditional Use Permit approval to construct a three-level care facility at the northeast corner of SW Scholls Ferry Road and SW Davies Road. The proposal includes a three-winged building accommodating Congregate Care, Assisted Living, and Special Needs/Alzheimer's care facilities, along with a common area and separate courtyards. The Multi-Family District [Urban Medium Density (2,000 square feet)]: R-2 zoning requires a Conditional Use Permit (CUP) for "Residential Care Facilities". The site is approximately 5.5 acres in size. Map 1S1-33BD; Tax Lot 300.

All the Commissioners indicated they had either visited the site or are very familiar with the site.

Mr. Cooper presented the staff report. He noted inconsistencies in the report with reference to Davies and Davis Road. It should read SW Davies Road throughout the report. It should also be shown that SW Davies Road is a major collector.

Chairman Maks asked if, although the increased height is an administrative CUP, the Commission could place a restriction on height if it felt that it was an issue with compatibility. Mr. Cooper said it could be approached through a bulk and mass issue and not a specific height criterion. Chairman Maks questioned the height of the buildings at Sunshine Creek in relation to this proposal. Mr. Cooper said he did not measure the buildings to the north. There is a slope and the elevation rises. He compared the height of this proposal to the closer buildings to the west which is Sterling Pointe. Staff is comfortable with the height because the northwest corner of the site is approximately 12 feet lower than Davies Road. Sterling Pointe is located on a slope higher than this property. To the north, staff felt any impact would be mitigated as a result of the horizontal separation. Chairman Maks reiterated that height is an issue for him but if it is going to be the same or similar to the adjacent properties, he does not see it as a problem.

Commissioner Kirby questioned which building will be three stories to which Mr. Cooper indicated it to be the one to the north which is the furthest from Scholls Ferry Road and 28 feet from Davies Road and 140 horizontal feet to Sunshine Creek Condominiums. Commissioner Kirby asked if any further public comment has been received since the printing of the staff report. Mr. Cooper indicated no. Commissioner Kirby questioned the presence of a wetland. Mr. Cooper said it is essentially a depression in the middle of the site created by the earlier grading of the site. The Division of State Lands and the Corps of Engineers have declared it a non-jurisdictional wetland and have allowed it to be filled. No mitigation is required. Commissioner Kirby asked if the increased height relates to only one building. Mr. Cooper said it would be specific to the one building and the applicant cannot arbitrarily make a change in the elevation more than plus or minus a foot without going back through the process. Commissioner Kirby asked how this body could place a restriction since they are only dealing with raw land and not actual buildings. Mr. Cooper said the Commission could make a finding of incompatibility based on bulk and mass of buildings based on the surrounding area. The Commission could make a finding that based on width and setback, the height could not be higher than a particular element. This would then be tied back to the criteria of compatibility.

Commissioner Kirby referred to Page 17 and questioned the 300-square foot transit amenity. Mr. Cooper said it is a transit stop to the west on Scholls Ferry Road and across the intersection on SW Davies. Commissioner Kirby asked if the applicant has taken advantage of the 10% parking reduction to which Mr. Cooper indicated yes. Commissioner Kirby asked if this should be included as a condition of approval. Mr. Cooper said it becomes a condition as a result of the submission of the plan. It is also included in the design review application. Commissioner Kirby discussed the traffic impact. It is very difficult to turn left from Davies onto Scholls Ferry Road. Mr. Cooper stated that given the character of the clientele of this type of facility, the City has reviewed the impact and determined that the additional traffic generated from this facility will not impact the existing condition. Chairman Maks added that the Transportation System Plan includes a signal for this particular intersection. He noted that there are allowed uses in this zone that would generate much higher traffic counts. Commissioner Kirby asked if both curb cuts are going to be retained. Mr. Cooper indicated yes that both curb cuts will remain essentially in the same location and serve the same function. Based on the low traffic generated to this site, the curb cut closer to Scholls Ferry is not considered a problem. Commissioner Kirby noted that cars turning right from Scholls Ferry are generally travelling fast around the corner given the right turn lane and the downhill slope. He asked if this was considered and whether it would be more appropriate to locate the access further up on Davies. Mr. Cooper indicated that the City's Transportation Planner Sean Morrison had requested the applicant to provide a traffic analysis which is included in the record. Consideration was given to providing a single access to align with the road across the street into Sterling Pointe. Because of the grades on the site, this was not possible. It would create a significant downhill sloped driveway at the steepest point of the



bank. This has been analyzed with consideration given to the safety implications. It was found that the existing access is workable and the impact from this facility is not significant.

Commissioner Johansen corrected the staff report to indicate that the site is served by bus route 62 instead of 56.

Commissioner Voytilla asked if the requirement for a nonremonstrance waiver is in addition to the Traffic Impact Fees (TIF). Mr. Cooper said every development is required to pay TIF fees and the waiver is in addition to those fees.

Commissioner Heckman questioned the definition of multi-use residential care facility. Mr. Cooper said the term was intended to indicate that the facility will include different types of care to include assisted living, Alzheimer's, and congregate care. With regard to the transit amenity, he questioned those traveling eastbound on Scholls Ferry given the difficulty of crossing the highway. Mr. Cooper indicated that anything that improves the pedestrian environment is considered an asset. The Code includes language within a ¼ mile of a transit stop. In essence, one is eligible if they meet that simple criterion. In an attempt to discourage the over-use of parking and encourage more pedestrian amenities such as more paths and more waiting areas, staff has accepted a plaza such as this to meet the standard. Commissioner Heckman did not feel it would be helpful for those traveling eastbound.

Chairman Maks asked if the dedicated right-of-way on SW Davies would be adequate for a right turn lane turning into the southerly driveway should it become necessary in the future. Mr. Cooper was not certain but felt it was possible given the right-of-way. Chairman Maks felt that the traffic will increase at this intersection in the future considering the future Murray/Scholls Ferry Town Center. The traffic comes off Scholls Ferry at a high speed and a right turn lane would allow traffic to slow down prior to turning right into the property.

WALTER FRIESEN, 8590 SW Indian Hill Lane, Beaverton 97008, said they became aware of the need for this type of facility following the development of their existing facility. They wanted to provide a facility that the seniors can enjoy for the rest of their years. He described the assets of this type of facility. They have met all the requirements without any variances. He has heard the concern related to height. Looking at the site, there is a 12 to 13-foot drop in elevation from Davies Road. This is more than the size of a building story. The building behind them is only a few feet shorter than their building. There are a number of three-story buildings in the neighborhood and they felt the proposed building would fit in well. The layout was scientifically designed to best meet the needs of the residents in each particular level of care facility.

CHRIS PETERSON, LRS Architects, 1121 SW Salmon, Portland, described the building functions. He reviewed the site plan and the building types and sizes of each care

unit. The three-story building will appear as a two-story due to the drop in elevation. They have attempted to work the buildings into the existing site conditions and have responded to the topography. The two-story building is near Scholls Ferry to respond to the development across the street. They have attempted to work with the facade to make the building interesting and to mitigate any concerns with height.

GERRY FRIESEN, 4088 Orchard Drive, Lake Oswego 97035, discussed compatibility with the surrounding area. Sterling Point consists of two and three-story apartment buildings. Sunshine Court Condominiums is two and three-story buildings. Their proposal is compatible with the surrounding area. The wetland that was originally delineated on the site was determined not to be important and is approved to be filled.

HOWARD ROLL, Parametrix, Inc., 700 NE Multnomah, Suite 1160, Portland 97232, said he submitted a summary which is self-explanatory. He addressed questions raised by the Commission. A left turn onto Scholls Ferry is a difficult maneuver. However, if this site were developed as apartments under the R-2 zone, there would be a significant amount of increased traffic. The peak hour of traffic to this site will be outside the normal peak traffic hours. This is a good use for this property. The two access points onto Davies Road will remain. This is an extensive living facility that extends quite a ways back onto the property. There is a potential for one of the accesses to be blocked which would prevent emergency vehicles from entering the site if only one access were provided. There is about 400 to 500 feet from the southern driveway to Scholls Ferry Road which is adequate stopping distance for traffic to see someone coming out the driveway. With regard to whether there is room for a right turn lane, there is pavement width to accommodate three lanes if the parking and bike lanes were removed. There is already a southbound left turn lane. It would be an issue of whether this lane is short enough to allow a transition into a right turn lane. He believes there would be room. This would be a future decision apart from this project because at this time there is no warranted need for the right turn lane.

ROD FRIESEN, 7555 SW Hall Boulevard, #51, Beaverton, discussed the market analysis. The Village at Forest Glen has needed this type of care facility for the last 5 to 10 years. Some of their residents have passed away or have had to move to other facilities because their needs could not be met on site. King City, Tigard, and Beaverton are prime market areas. King City alone has 1,080 people over the age of 80. They have only one residential care facility which is not assisted living. Washington County is the largest County for senior growth in Oregon. It had between 28% and 32% growth from 1990 through 1997. This includes people over the age of 75. The need is evident.

GREG MARTIN, 16427 NE Airport Way, Portland, contractor, said they were concerned about the height. Working with the City they were able to lower the site by an additional foot by locating the driveway where it exists in order to maintain a lower profile.

Also by doing that, they were able to accomplish a flatter driveway which provides a better site distance for cars existing onto Davies Road.

TRACY NICHOLSON, 7790 SW Maple Drive, Portland 97225, Administrator at Hearthstone at Beaverton for two years, explained that there is a tremendous need for this additional facility. At the current location they have a waiting list. Providing a facility with the different types of care units allows an individual to remain at the same location even though their need for more specialized care increases. This provides a nice progression and allows them a continued relationship which is very important to the senior citizens. It will also allow for couples to remain in the same facility even though one needs more care than the other. Family and home environment are very important to the residents. A smaller facility of this type provides that.

Commissioner Johansen asked Mr. Friesen what levels of care are provided at the Hearthstone at Beaverton. Mr. Friesen said they provide three levels of assisted care. Most residents are able to stay for the remainder of their life.

Commissioner Voytilla questioned the roof pitch to which Mr. Peterson responded is 6:12. Commissioner Voytilla said he noticed at the existing facility that the parking is sometimes very limited and cars are required to park in the gravel area on the street. He asked if the parking projections are based on experience or specific parking needs driven by other standards. Mr. Friesen said they have researched national studies, other facilities in the community, and their present facility. They combined all those factors. They based the number on the maximum number of employees on site at any one time and the maximum number of visitors expected at any one time. Commissioner Voytilla asked if parking is adequate for peak hours on Sundays and holidays. Mr. Friesen said they have the capability to enlarge the parking if necessary. They feel they have more than adequate at this time. There is shared parking with the Village at Forest Glen.

Chairman Maks asked Mr. Peterson how high the building is compared to Sunshine Creek. Mr. Gerry Friesen said the elevation at Hearthstone is 5 feet less. The building at Hearthstone will be 49 feet tall from ridge to ground. Sunshine Creek is 35 feet. With the difference in elevation, the appearance will be a difference of approximately 9 feet.

Chairman Maks asked Mr. Roll if there are sufficient warrants at the present time for a signal at Davies/Scholl Ferry. Mr. Roll said some of the warrants are satisfied but not the ones that are normally used to rely on for prioritizing signalization. Chairman Maks noted that if they were limited to a single access, they would be required to place a secondary access to meet the Fire Code.

Commissioner Kirby questioned the staff ratio to residents. Mr. Friesen said there is a different ratio for each area. There will be a maximum of 35 employees on site at any one time. Commissioner Kirby asked how the number of parking spaces was arrived at. Mr.

Friesen said the number was based on Code, national studies, and their own experience. This includes parking for employees. Ms. Nicholson stated that at their current facility, of 60 residents, only 2 have a car. There is only one shift of employees that overlaps. A large majority of staff takes the bus. A monthly bus pass is provided to employees. Some of them ride share. There are circumstances during special events that the parking lot is full. The biggest problem occurs when delivery trucks block the parking lot. Cars parked in the gravel area are generally there because the lot is blocked and not because it is full. This proposed facility will provide a service area in the rear to prevent this problem from occurring.

Commissioner Kirby asked if the number of units has been changed since the time of the market analysis. Mr. Friesen said the market analysis assumed a proposal of 180 units. They designed the building and reduced the number of units. They wanted to achieve close to 35% landscaped area. The proposed number of units is accurate at 171 units.

SUSAN DONIN, 14938 SW 109<sup>th</sup>, Tigard 97224, works at Village at Forest Glen. She said they have had two other companies who considered building on this site but they changed their minds. This is a greatly needed facility and they are pleased with the proposal.

Mr. Friesen submitted a letter from Jim and Ann Phillips of 12975 SW Thunderhead Way, Beaverton, in support of the proposal.

Mr. Cooper clarified several questions. With regard to right-of-way dedication, there is 7 feet of additional right-of-way dedication being created here on the east side of Davies Road. That is to the ultimate right-of-way cross section of 74 feet which includes bike lanes and a center turn lane. There would not be a need for a center turn lane here but it would provide the potential for a right turn lane in the future should it be warranted. With regard to the height issue and the bulk and mass, the Commission is reluctant in getting into design issues. However, design is part of Criterion 3 and to some degree, the architect's proposal of the different materials used for the building are an integral element of breaking up the mass. They are creating textures which provide some visual variety. In response to the mass and the proximity to the property line, there are a few different things that can be done. The building can be set back further on the property but he does not think this is warranted. The roof pitch can be lowered but it would result in a less attractive product.

Commissioner Kirby said he would like to see detail in future staff reports on how the required number of parking spaces is generated. Mr. Cooper indicated that in this particular case, the determination was made based on the senior housing association national study, the auto ownership and generation of trips from congregate care and assisted living facilities on a per unit level, and employee levels. They did not consider special events outside of normal operation.

Commissioner Voytilla asked if the improvements for transit will occur within the existing right-of-way. Mr. Cooper said this will occur on the applicant's property.

Chairman Maks stated if the Commission is concerned about the mass, since there is only a 9-foot difference, the Board can look at this issue with regard to the design, retaining the height as proposed. Commissioner Kirby asked if they can exceed 50 feet in height. Mr. Cooper said no. The actual height has not yet been approved but it is felt that given the distances around the building and the landscaping at maturity, the site can be compatible.

The public portion of the hearing was closed.

Commissioner Wolch said he supports the CUP. It meets all the criteria and satisfies a need. With regard to compatibility, he would be more concerned if the project were located closer to a single-family development.

Commissioner Voytilla said his concern with the pitch was that they were in keeping with the context of the surrounding neighborhood. He feels this is a reasonable level. The Commission is looking at two-dimensional plans which represent the worst case scenario of the elevation of the building with respect to the ridge. In reality, he does not think this will be much of an impact given the site topography. The architect has done an excellent job in making the building fit well with the site. He is comfortable with the proposal and is familiar with the need for this type of housing. He is impressed with the quality of the existing facility and he will support this proposal.

Commissioner Johansen commended the applicant. There is a traffic problem at Davies/Scholls Ferry Road but there are uses that could generate much more traffic. The mass and height as proposed are not inappropriate for this site. With regard to the parking, he is satisfied with the applicant's proposal. There is more frequent transit service to this site to justify the 10% reduction. It meets all the criteria and a strong public need.

Chairman Maks said he supports the application. The Village at Forest Glen and this facility will complement one another. There is definitely a need. The applicant has done a quality project and this type of facility in many ways is a service to the community. The traffic is not an issue. The mass was originally an issue for him but he assumes the Board of Design Review will look at this issue. He is in support of the application. It meets all the criteria.

Commissioner Kirby commended the application for an excellent job in presenting the proposal. They have proven themselves to be a good neighbor. All the issues he had concerns with have been adequately resolved. It is a good use of the land. The alternative of placing apartments would generate much more traffic. A single access would pose a

safety issue. He was originally concerned with the height but due to the drop in elevation, the visual impact will be significantly reduced. He supports the proposal.

Commissioner Heckman said the design of the building is good. Lowering the roof pitch would negatively impact the appearance. He supports the application. He is a little concerned about traffic but this facility will not generate very much. The largest traffic to this facility will be the employees.

Commissioner Johansen MOVED and Commissioner Voytilla SECONDED a motion for approval of CUP 99006 Hearthstone Retirement Center based upon the facts and findings contained in the staff report dated June 23, 1999, as amended, with Conditions 1 through 4. The question was called and the motion CARRIED unanimously.

### **APPROVAL OF MINUTES**

The Minutes for May 19, May 26, and June 2, were approved as presented.

ADJOURNMENT: 10:25 p.m.